



ACP-EU JOINT PARLIAMENTARY ASSEMBLY

Luanda Declaration

on the Second Revision of the ACP-EU Partnership Agreement (Cotonou Agreement)

The 18th Session of the ACP-EU Joint Parliamentary Assembly, meeting in Luanda (Angola) from 30 November to 3 December 2009:

I. Preamble

- A. whereas Article 95 of the ACP-EU Partnership Agreement, signed in Cotonou, Benin, on 23 June 2000, provides for the Agreement to be revised every five years; noting that the first revision was concluded in 2005 and negotiations for the second revision are under way and likely to be concluded before the end of 2010,
- B. whereas the current revision of the Cotonou Agreement does not include negotiations for a new European Development Fund (EDF) since the 10th EDF does not expire until 2013; whereas the third revision of the Cotonou Agreement is foreseen for 2015 and will therefore fall two years after the expiry of the 10th EDF,
- C. recalling that the primary objective of the Cotonou Agreement is the reduction and, eventually, the eradication of poverty in a way consistent with the objectives of sustainable development and the gradual integration of the ACP countries into the world economy,
- D. mindful that the date of the third revision of the Cotonou Agreement in 2015 will coincide with the deadline for the attainment of the Millennium Development Goals (MDGs),
- E. recalling that, since the first revision of the Cotonou Agreement, there have been significant changes in the international environment, occasioned by such challenges as soaring food and energy prices, the global financial, economic and social crises, as well as climate change, which have their most serious repercussions in developing countries,
- F. whereas the process of negotiating Economic Partnership Agreements (EPAs), along with the conclusion and implementation of interim or full Agreements, has undermined the cohesion of the ACP Group and the ongoing regional integration process,

- G. whereas any revision of the political dimension of the ACP-EU relationship, enshrined in Part 1, Title II of the Cotonou Agreement, must be carried out in a way that fully respects a partnership of equals,
- H. emphasising that the parliamentary dimension of the ACP-EU relationship must in no way be weakened,
- I. whereas, prior to starting negotiations on a revision of the Cotonou Agreement, there should have been an open and transparent consultation of all stakeholders, including parliaments and non-state actors,

II. Objective of the second revision exercise

- 1. Emphasises that the second revision of the Cotonou Agreement should strengthen the principal objectives of the Agreement, which are the eradication of poverty, promotion of sustainable development, gradual and effective integration of ACP States into the world economy, preservation and strengthening of the 'Lomé acquis', as well as enhancing ACP unity, cohesion and solidarity; warns, in this regard, against introducing into the Agreement elements that would be more appropriately addressed in other international cooperation agreements;
- 2. Calls on the negotiating parties to be flexible with regard to the deadline for concluding the revision exercise, given the institutional changes taking place in the Commission and the ACP Secretariat in 2010, along with the entry into force of the Lisbon Treaty and the possible conclusion of negotiations for EPAs;
- 3. Stresses that the attainment of the MDGs should stay as one of the core goals of ACP-EU development cooperation; emphasises that the Cotonou Agreement should foresee more investment in public services and infrastructure;
- 4. Considers that the revision of the Cotonou Agreement should include a commitment to a preliminary perspective for financing ACP-EU cooperation post 2013, independently of the conclusion of EPA negotiations;

III. Regional differentiation and integration

- 5. Insists that attempts to favour regional differentiation within the ACP Group must not weaken the cohesion and solidarity of the Group and this differentiation must not be applied to aspects of ACP-EU relations that can appropriately be addressed on an all-ACP-EU basis; expresses particular concern, in this context, that regional differentiation should not affect the functioning of the joint ACP-EU institutions under the Cotonou Agreement or impede the strengthening of the relationship between the EU and the whole ACP Group;

6. Acknowledges the increasingly important role played by regional and continental organisations, particularly the African Union (AU), in the economic, social and institutional environment for the development of ACP States; expresses its firm view, however, that any resources devoted to supporting the AU or other regional organisations should not be taken from national envelopes under the EDF or from long-standing horizontal initiatives; emphasises, to this end, that ACP-EU development cooperation and the EU's separate regional strategies must continue to support and strengthen the on-going regional integration processes within the ACP Group;

IV. Economic and trade cooperation

7. Notes that the trade and economic cooperation chapter should be modified to take account of the expiry of the Cotonou trade regime; insists, however, that new provisions for trade regimes to govern ACP-EU trade should, while in line with WTO requirements, take account of the interests and concerns of all ACP States in the light of their different levels of economic development and structural constraints, irrespective of whether or not they have concluded or renounced EPAs;
8. Calls for the establishment of a broad-based review to ensure that EPAs meet their objectives; believes that a formal and comprehensive review of the EPA project is necessary and should be conducted at an all-ACP-EU level at a specified time in the future;
9. Calls for the strengthening of the relevant provisions, to ensure that the European Commission holds full consultation with the ACP Group before entering into any commitments liable to adversely affect the economic integration of ACP regions or ACP-EU trade relations;
10. Stresses that the revision of the Cotonou Agreement should not put undue pressure on ACP States to conclude EPA negotiations;

V. Political dimension

11. Recognises that situations of insecurity or state fragility present particular challenges in relation to development and the attainment of the MDGs and to this end calls for ACP-EU development cooperation to support initiatives to control the spread of small arms and light weapons in ACP States and Regions;
12. Insists that, in relation to migration, the existing provisions of the Cotonou Agreement relevant to readmission agreements should not be changed during the current revision process;
13. Recognises that the consultation procedures in Articles 96 and 97 of the Cotonou Agreement should be exceptional and only invoked in cases where all other forms of dialogue, such as those under Article 8, have been exhausted; believes, however, that when such exceptional circumstances arise it is

important that the consultation procedures may be instigated by either party to the Agreement;

VI. Institutional aspects

14. Stresses the importance of the parliamentary dimension of the Cotonou Agreement as embodied in the ACP-EU Joint Parliamentary Assembly (JPA); expresses its firm commitment to ensuring that the JPA and national parliaments play their full part in actions and processes under the Cotonou Agreement and further emphasises its implacable opposition to any attempt to reduce the role of the JPA in particular by proposals that impact on its working methods and the frequency of its meetings, which should be left to the JPA to determine for itself;
15. Calls for the Cotonou Agreement to provide for Country and Regional Strategy Papers to be forwarded to the JPA, as is currently required under the EU Council Regulation on the implementation of the 10th EDF¹; believes, to this end, that in future, the JPA and national and regional parliaments should be consulted in the process of drafting these Strategy Papers;
16. Insists that provision be made in the Cotonou Agreement to allow the JPA to scrutinise the implementation of the country and regional strategies;
17. Believes firmly in the key role that ACP national parliaments may play in all aspects of the ACP-EU relationship; calls for national parliaments to be accorded oversight responsibilities in the implementation of the Cotonou Agreement, particularly the programming, implementation, monitoring and evaluation of development cooperation actions and programmes; insists on effective measures for the monitoring of budget support, particularly by national parliaments and supreme audit institutions; calls for capacity building in ACP parliaments in order for them to undertake both the above-mentioned tasks effectively;
18. Recognises the vital contribution of non-state actors in improving transparency and democratic legitimacy and in enhancing the ability of citizens to hold governments to account and therefore highlights the need for greater involvement of non-state actors from the EU and ACP States;

VII. Development cooperation

19. Calls for increased attention to be paid in the Cotonou Agreement to the urgent need for greater efforts towards attaining the MDGs, especially considering the magnitude of the challenge and the proximity of the 2015 deadline; insists strongly, therefore, that funding linked to MDG sectors should not be diverted to support horizontal initiatives in areas less directly related to the MDGs;

¹ Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the ACP-EC Partnership Agreement, OJ L 152, 13.6.2007, pp. 1-13.

20. Draws attention to the importance of the principles of aid effectiveness set out in the Paris Declaration and the Accra Agenda for Action and the principles of donor coordination set out in the EU Code of Conduct on Division of Labour in Development Policy²; considers these essential to making the best use of development cooperation funds and therefore calls for these principles to be fully taken into account in the revision of the Cotonou Agreement;
21. Calls for more coherence between the EDF and the new European Investment Bank (EIB) development mandate;
22. Welcomes the EU's commitment, enshrined in the Lisbon Treaty, to 'take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries'³; expresses concern, however, at the European Commission Communication on Policy Coherence for Development⁴ (PCD), which introduces a different approach to PCD; insists, in this regard, that the EU approach to PCD needs to take fully into account the development priorities of ACP States.

² Communication from the Commission to the Council and the European Parliament, COM/2007/0072 final.

³ Treaty on the Functioning of the European Union, Article 208(1).

⁴ Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions – Policy Coherence for Development: establishing the policy framework for a whole-of-the-Union approach, COM (2009)0458 final of 15 September 2009.